

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ROBERT BUENTELLO,

Plaintiff,

VS.

STATE CLASS COMM. MEMBERS, *et al*,

Defendants.

§
§
§
§
§
§
§

CIVIL ACTION NO. C-10-125

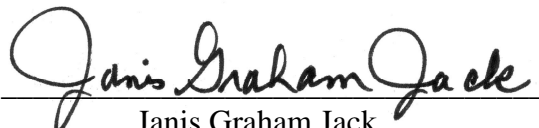
**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
TO GRANT DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

On March 25, 2011, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that defendants' motion for summary judgment, (D.E. 31), be granted and that plaintiff's action be dismissed without prejudice to his right to re-file in the Eastern District of Texas. A copy of the Memorandum and Recommendation was mailed to plaintiff with a card to be returned indicating his receipt of the mailing. The card has not been returned by plaintiff nor has the mailing been returned by the U.S. Post Office as undeliverable. Therefore, seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is

ORDERED that defendants' motion for summary judgment is granted and plaintiff's action is dismissed without prejudice to his right to re-file in the Eastern District of Texas.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 28th day of April, 2011.


Janis Graham Jack
United States District Judge